

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE: WORLD TRADE CENTER  
DISASTER SITE LITIGATION

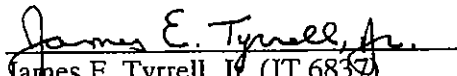
21 MC 100 (AKH)

**NOTICE OF MOTION TO DISMISS  
CERTAIN PLAINTIFFS' CLAIMS WITH  
PREJUDICE FOR FAILURE TO  
PROSECUTE PURSUANT TO FEDERAL  
RULE OF CIVIL PROCEDURE 41(b)**

**PLEASE TAKE NOTICE** that on a day to be determined by this Court, Defendants the City of New York and the Contractors ("Defendants") shall apply to the Honorable Alvin K. Hellerstein, U.S.D.J., at the Southern District of New York located at 500 Pearl Street, New York, New York, Room 14-D for an Order Granting the Defendants' Motion to Dismiss Certain Plaintiffs' Claims with Prejudice for Failure to Prosecute Pursuant to Federal Rule of Civil Procedure 41(b).

**PLEASE TAKE FURTHER NOTICE** that in support of this Motion, Defendants rely upon the attached Memorandum of Law in Support of the Defendants' Motion to Dismiss Certain Plaintiffs' Claims with Prejudice for Failure to Prosecute Pursuant to Federal Rule of Civil Procedure 41(b) and the Declaration of Alyson N. Villano, Esq., dated August 26, 2011.

Dated: August 26, 2011

  
James E. Tyrrell, Jr. (JT 6837)

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